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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

FEDERAL COMMUNICATIONS COMMISSION

Effective upon publication in the FEDERAL REGISTER, paragraphs (b) and (c) of § 6.134 are revoked, paragraphs (d), (e), and (f) are amended, and paragraphs (a), (b), and (c) of § 6.334 are added as set out below.

§ 6.134 Federal Communications Commission. * * *

- (d) One Assistant Chief Engineer.
- (e) One Assistant Chief Accountant.
- (f) The Chief of each of the following Bureaus: Broadcast, Common Carrier, Safety and Special Radio Services, and Field Engineering and Monitoring.

§ 6.334 Federal Communications Commission. (a) One General Counsel. (b) One Chief Engineer. (c) One Chief Accountant.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, Mar. 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-2778; Filed, Apr. 13, 1954; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[6th Gen. Rev. of Export Regs., Amdt. 85¹]

PART 371—GENERAL LICENSES

IN-TRANSIT SHIPMENTS; EXCEPTED COMMODITIES

Section 371.9 General License GIT; in-transit shipments paragraph (c) Commodities excepted from the provisions of this general license, subparagraph (1) is amended to read as follows:

¹ This amendment was published in Current Export Bulletin No. 726, dated March 31, 1954.

(1) Commodities identified on the Positive List of Commodities (§ 399.1 of this subchapter) by the symbol "C" in the column headed "Commodity Lists" may not be exported to any destination under this general license, with the exception of shipments of commodities originating in Canada which are being exported from the United States in accordance with the authorization shown on the accompanying Canadian Customs Entry, Form B13.

This amendment shall become effective as of March 31, 1954.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945; 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F. R. Doc. 54-2756; Filed, Apr. 13, 1954; 8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6079]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PHILO BURT MANUFACTURING CO.

Subpart—Advertising falsely or misleadingly: § 3.170 Qualities or properties of product or service. In connection with the offering for sale, sale, or distribution of respondent's devices designated as Philo Burt Appliances, or redesignated by any other name, or any other product of substantially similar design or construction, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce of respondent's said devices, which advertisements represent, directly or by implication: (a) That the use of respondent's said devices will cure or will be of any significant value in the treatment of extreme sensitiveness of the skin, sensations of uneasiness, tingling, girdle pains, itching, headache, sleeplessness or loss of sleep, melancholy, spine sensitive to pressure, feeling of irritation, muscular weakness, fidgets, sudden starts,

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CFR SUPPLEMENTS

(For use during 1954)

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Titles 30-31 (\$1.00)

Title 33 (\$1.25)

Titles 44-45 (\$0.75)

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cramps in the legs or abdomen, sensations of heat and cold, skin flushed and hot, clammy sweats, worry, indigestion, loss of appetite, outbursts of temper, forgetfulness, or distaste for either work or society; (b) that the use of respondent's devices will cure backache, contraction of the muscles, weariness or fatigue, spinal tuberculosis, spinal irritation, spinal weakness, inflamed spine, injury to or deformity of the spine, arthritis of the spine, lordosis or spinal curvature; and (c) that the use of respondent's devices is a competent or effective treat-

ment for backache, contraction of the muscles, weariness or fatigue, spinal tuberculosis, spinal irritation, spinal weakness, inflamed spine, injury to or deformity of the spine, arthritis of the spine, lordosis or spinal curvature, unless such representation is limited to cases where: (1) The particular condition or symptom has been diagnosed by a competent physician as one requiring the wearing of a support; (2) the type of support sold by respondent is recommended by the physician; (3) the proper measurements have been made by respondent, the physician, or other properly qualified person, and (4) the support is used in conjunction with other necessary treatment measures, as prescribed by the physician; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, Philo Burt Manufacturing Company, Jamestown, N. Y., Docket 6079, Mar. 30, 1954]

This proceeding was heard by John Lewis, Hearing Examiner, upon the complaint of the Commission, charging respondent with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of the Federal Trade Commission Act, respondent's answer and supplemental answer, and a hearing at which testimony and other evidence in support of the allegations of the complaint were introduced before said examiner, theretofore duly designated by the Commission, and were duly recorded and filed in the office of the Commission. Respondent having failed to appear at the time and place fixed for hearing, and having been advised that a further hearing could be held to enable it to offer testimony and other evidence in opposition to the allegations of the complaint, first requested such a hearing, which was duly scheduled, but which was later cancelled following respondent's request that this be done, and no testimony or other evidence in opposition to the allegations of the complaint was offered by respondent, excepting an affidavit as to the discontinuance of certain practices, which was made a part of the record of the proceeding by agreement of counsel in support of the complaint.

Thereafter the proceeding regularly came on for final consideration by said examiner on the complaint, the answer and supplemental answer thereto, testimony and other evidence, and the aforesaid affidavit of respondent, no proposed findings as to the facts and conclusions having been submitted by the attorney in support of the complaint or respondent, and oral argument not having been requested, and said examiner, having duly considered the record in the matter, and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order to cease and desist.

Thereafter, following respondent's appeal from said initial decision, the matter was disposed of by the "Decision of the Commission", dated March 30, 1954,

which, after considering respondent's general exception to said initial decision and respondent's specific exceptions to certain findings, a paragraph of the order and the findings on which based, and certain other matters, and being of the opinion that respondent's appeal from the hearing examiner's said initial decision was of no merit and that said initial decision was appropriate in all respects to dispose of the proceeding, issued the following order, to wit:

It is ordered, That the appeal of respondent from the initial decision of the hearing examiner be, and it hereby is, denied.

It is further ordered, That the initial decision of the hearing examiner shall on the 30th day of March 1954 become the decision of the Commission.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist contained in said initial decision, a copy of which is attached hereto.

The order to cease and desist in said initial decision, thus made the decision of the Commission, is as follows:

It is ordered, That the respondent, Philo Burt Manufacturing Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its devices designated as Philo Burt Appliances, or designated by any other name, or any other product of substantially similar design or construction, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That the use of respondent's said devices will cure or will be of any significant value in the treatment of extreme sensitiveness of the skin, sensations of uneasiness, tingling, girdle pains, itching, headache, sleeplessness or loss of sleep, melancholy, spine sensitive to pressure, feeling of irritation, muscular weakness, fidgets, sudden starts, cramps in the legs or abdomen, sensations of heat and cold, skin flushed and hot, clammy sweats, worry, indigestion, loss of appetite, outbursts of temper, forgetfulness, or distaste for either work or society;

(b) That the use of respondent's devices will cure backache, contraction of the muscles, weariness or fatigue, spinal tuberculosis, spinal irritation, spinal weakness, inflamed spine, injury to or deformity of the spine, arthritis of the spine, lordosis or spinal curvature;

(c) That the use of respondent's devices is a competent or effective treatment for backache, contraction of the muscles, weariness or fatigue, spinal tuberculosis, spinal irritation, spinal weakness, inflamed spine, injury to or deformity of the spine, arthritis of the

spine, lordosis or spinal curvature, unless such representation is limited to cases where:

(1) The particular condition or symptom has been diagnosed by a competent physician as one requiring the wearing of a support;

(2) The type of support sold by respondent is recommended by the physician;

(3) The proper measurements have been made by respondent, the physician, or other properly qualified person; and

(4) The support is used in conjunction with other necessary treatment measures, as prescribed by the physician.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's said devices, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

Issued: March 30, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 54-2754; Filed, Apr. 13, 1954;
8:48 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

CHANGE OF NAME OF DIBENZYLETHYLENE-DIAMINE DIPENICILLIN G

By virtue of the authority vested in the Secretary by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended by 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371; 67 Stat. 18), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR Part 141a; 18 F. R. 1587, 2786, 5590, 5631, 6319, 6589) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR Part 146a; 18 F. R. 951, 1587, 2786, 5590, 5651, 6320; 19 F. R. 1141), are amended as indicated below:

1. The following sections in Part 141a are amended by changing the words "dibenzylethylenediamine dipenicillin G" to read "benzathine penicillin G" as specified hereinafter:

a. In § 141a.9 *Penicillin tablets*, in the headnotes of paragraph (a) (1) and (2), in paragraph (b), first sentence.

b. In § 141a.47 *Dibenzylethylenediamine dipenicillin G*, in the section headnote.

c. In § 141a.48 *Dibenzylethylenediamine dipenicillin G oral suspension*, in the section headnote.

¹ Filed as part of the original document.

d. In § 141a.54 *Dibenzylethylenediamine dipenicillin G for aqueous injection*, in the section headnote.

e. In § 141a.55 *Dibenzylethylenediamine dipenicillin G and buffered crystalline penicillin* * * *, in the section headnote; in paragraph (a), first sentence; in paragraph (c), headnote and first and second sentences.

f. In § 141a.60 *Penicillin and dihydrostreptomycin-streptomycin sulfates* * * *, in paragraph (a) (1) (iii), (v), (vi), and (vii); in paragraphs (b), (c), (d), and (e).

g. In § 141a.61 *Dibenzylethylenediamine-procaine-buffered crystalline penicillins for aqueous injection*, in the section headnote (change the word "dibenzylethylenediamine" to "benzathine"); in paragraph (a) (1), first sentence; in paragraph (a) (4), headnote, first and second sentences (change the words "dibenzylethylenediamine dipenicillin" to "benzathine penicillin G").

h. In § 141a.62 *Dibenzylethylenediamine dipenicillin G and procaine penicillin for aqueous injection*, in the section headnote; in paragraph (a), headnote.

i. In § 141a.67 *Procaine penicillin and dibenzylethylenediamine dipenicillin G in streptomycin sulfate solution* * * *, in the section headnote (3 places); in paragraph (a) (2), headnote and two places in the context of the subparagraph (change the words "dibenzylethylenediamine dipenicillin" to "benzathine penicillin G").

j. In § 141a.68 *Dibenzylethylenediamine dipenicillin G and streptomycin* * * *, in the section headnote (two places); in paragraph (a) (1), headnote and second sentence.

k. In § 141a.70 *Tablets dibenzylethylenediamine dipenicillin G and crystalline penicillin*, in the section headnote; in paragraph (a) (3), headnote and first and second sentences.

2. The following sections in Part 146a are amended by changing the words "dibenzylethylenediamine dipenicillin G" to read "benzathine penicillin G" as specified below:

a. In § 146a.27 *Penicillin tablets*, in paragraph (a), first, third, and sixth sentences; in paragraph (c) (1) (vi) (two places); in paragraph (d) (2) (ii) (two places) and (d) (3) (ii) (two places).

b. In § 146a.68 *Dibenzylethylenediamine dipenicillin G* * * *, in the section headnote (two places); in the introduction to paragraph (a) (one place); in paragraph (d) (3), first sentence.

c. In § 146.69 *Dibenzylethylenediamine dipenicillin G oral suspension*, in section headnote (two places); in paragraph (a), first sentence (four places) and fifth sentence (one place); in paragraph (c) (3) (two places); in paragraph (d) (1), (2), (ii), and (3) (ii).

d. In § 146a.77 *Dibenzylethylenediamine dipenicillin G for aqueous injection*, in section headnote; in paragraph (a), introduction and concluding sen-

tence (four places); in paragraph (d) (1), first sentence (two places); in paragraph (d) (2) (ii) and (3), (ii) and (iv).

e. In § 146a.78 *Dibenzylethylenediamine dipenicillin G and buffered crystalline penicillin for aqueous injection*, in section headnote; in the introductory sentence to paragraph (a) (three places); in paragraph (a) (1), first sentence; in paragraph (a) (2), first sentence (two places); in paragraph (a) (3) (two places).

f. In § 146a.84 *Penicillin and dihydrostreptomycin-streptomycin sulfates* * * *, in paragraph (a) (1) (two places); in paragraph (a) (3); in paragraph (d) (2) (iv), (3) (i) (a), (3) (iv), and (4) (i).

g. In § 146a.85 *Dibenzylethylenediamine-procaine-buffered crystalline penicillins for aqueous injection*, in the section headnote and introduction to the section (change the word "dibenzylethylenediamine" to "benzathine"); in paragraph (a), first and second sentences; in paragraph (c); in paragraph (d), first sentence (three places) and second sentence; in paragraph (e).

h. In § 146a.86 *Dibenzylethylenediamine dipenicillin G and procaine penicillin for aqueous injection*, in the section headnote; in the introduction to the section (two places); in paragraph (a), first sentence; in paragraph (c) (two places); in paragraph (d), first sentence.

i. In § 146a.90 *Procaine penicillin and dibenzylethylenediamine dipenicillin G in streptomycin sulfate solution* * * *, in the section headnote (three places); in the introduction to the section (two places); in paragraph (a), first sentence (two places) and second sentence; in paragraph (b); in paragraph (c), first sentence (two places) and second sentence; in paragraph (d).

j. In § 146a.91 *Dibenzylethylenediamine dipenicillin G and streptomycin* * * *, in the section headnote (two places); in the introduction to the section (four places); in paragraphs (a) and (c).

k. In § 146a.92 *Tablets dibenzylethylenediamine dipenicillin G and crystalline penicillin*, in the section headnote; in the introduction to the section; in paragraph (a).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

This order shall become effective 120 days after publication in the FEDERAL REGISTER.

Dated: April 8, 1954.

NELSON A. ROCKEFELLER,
Acting Secretary.

[F. R. Doc. 54-2755; Filed, Apr. 13, 1954;
8:49 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter J—Procurement

[CGFR 54-15]

PART 116—PROCEDURES FOR PURCHASING

MISCELLANEOUS AMENDMENTS

The amendment to § 116.01-90 clarifies procedures for the exchange or sale of Coast Guard personal property and application of the proceeds derived therefrom to the purchase of similar items pursuant to 40 U. S. C. 481c (63 Stat. 384). Sections 116.01-91 and 116.01-92 are revoked; the procedures previously prescribed in those sections are now contained in § 116.01-90.

The amendments to §§ 116.01-155, 116.01-156, 116.01-157, 116.01-158, and 116.01-160 are editorial in nature to clarify requirements of procedures and to revise the dates of applicable Federal Specifications to correspond with the latest editions prescribed by Title, 1, Regulations of the General Services Administration.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), the following amendments are prescribed:

1. Section 116.01-90 is amended to read as follows:

§ 116.01-90 *Exchange or sale of personal property and application of proceeds to purchase of similar items*—(a) *Authority.* The Federal Property and Administrative Services Act of 1949, section 201 (c), 40 U. S. C. 481c (63 Stat. 384), authorizes the exchange or sale of personal property and the application of the exchange allowances or proceeds of sale in whole or in part toward the purchase of personal property of the same general character, under regulations prescribed by the Administrator, General Services Administration. This section sets forth the procedures to be followed by Coast Guard units in exercising the authority granted under section 201 (c) of the above act.

(b) *Definitions.* As used in this section, the following definitions apply:

(1) *Personal property.* Property of any kind except Coast Guard records, real property, and vessels.

(2) *Similar personal property.* Items shall be deemed "similar" when:

(i) They are substantially alike in material aspects and characteristics, excluding, however, condition, year, model, size or capacity, and manufacturer; or

(ii) The Commandant (FS), the district commander, or the commanding officer of a Headquarters unit or their designee finds, in writing, that they resemble each other in most material aspects and characteristics and are adaptable to the same or comparable uses, which finding shall support each

purchase document covering property acquired pursuant thereto; or

(iii) They constitute parts of or for assembled items, or containers for items, which items are similar within the meaning of subdivisions (i) and (ii) of this subparagraph.

(c) *Restrictions and limitations*—(1) *General*. The application of exchange allowances or proceeds of sale in whole or part payment for personal property acquired is authorized only when:

(i) The items sold or exchanged are similar to the items acquired;

(ii) The items acquired are to be used (whether or not intended for additional uses) in the performance of all or substantially all of the tasks or operations in which the items exchanged or sold would otherwise be used, but the items acquired need not be the same as the items sold or exchanged;

(iii) There has been at the time of transfer or sale an administrative determination to apply the exchange allowance or proceeds of sale in acquiring property in accordance with this section; and

(iv) The transaction will foster the economical and efficient accomplishment of an approved official program.

(2) *Availability of proceeds of sale*. The proceeds from the sale of personal property may be used in acquiring similar property, as authorized in this section, provided the replacement purchase is made, or an obligation for the purchase of the replacement property is incurred, by the end of the fiscal year following the fiscal year in which the sale was made.

(3) *Dangerous property*. No property which is dangerous to public health or safety shall be exchanged or sold pursuant to the authority granted in this section without first rendering such property harmless or providing adequate safeguards therefor.

(d) *Solicitation of bids*—(1) *General*. Responsible officers shall at all times consider the interest of the Government in obtaining the maximum return from items exchanged or sold. In disposing of personal property, both cash and trade-in bids shall be solicited except that:

(i) Items may be exchanged or transferred between the Coast Guard and other Federal agencies, when the exchange or transfer has been approved by the Commandant (FS), without solicitation of bids;

(ii) Items may be exchanged without solicitation of bids when the personal property sought to be acquired may be procured without solicitation of bids under applicable laws and regulations;

(iii) Cash bids need not be solicited when the items sought to be sold or exchanged may be disposed of without solicitation of bids under applicable laws and regulations;

(iv) Both types of bids need not be solicited when recent solicitation for identical items has produced only one type of offer under circumstances indicating the futility of further advertising for any other type of offer;

(v) Both types of bids need not be solicited when such solicitation for the items to be sold or exchanged would clearly be ineffective in reducing the cost of the acquisition, e. g., by reason of the existing commercial practice with respect to exchange or sale of such items.

(2) *Sales contracts*. As personal property sold under the authority stated herein is for the purpose of replacement, the property is not excess to the Coast Guard and will not be identified in any way as surplus property. Any printed statements appearing on sales contract forms referring to surplus property will be deleted. The following statement shall be inserted in all sales invitations: "The property listed herein is being offered for sale in accordance with section 201 (c), Public Law 152, 81st Congress, act of June 30, 1949 (63 Stat. 384)."

(3) *Exchange*. All agreements providing for the acceptance of personal property in exchange ("trade-in") for the purchase of similar items authorized by the act shown in paragraph (a) of this section shall be referenced in the purchase document. The appropriation paying for the new item(s) will be charged the net amount after deduction of the exchange allowance.

(d) *Records*. Each transaction carried out under the authority granted in this section shall be evidenced in writing (i. e., purchase order, sales contract, quotation, etc.), which shall indicate the amount of "trade-in" allowance or proceeds of sale, if any, involved, and shall show full compliance with the provisions of this section.

2. Section 116.01-91 *Applying proceeds of sale to purchase of replacement* is hereby revoked.

3. Section 116.01-92 *Availability of funds* is hereby revoked.

4. Section 116.01-155 is amended to read as follows:

§ 116.01-155 *Procurement of office labor-saving devices*—(a) *Procurement procedure*—(1) *General*. District commanders and commanding officers of Headquarters units may procure office labor-saving devices within authorized allowances from allotted funds except replacement machines of the categories indicated in subparagraph (2) of this paragraph. In exercising this authority, responsible officers shall effect trade-in or sale of devices replaced and apply the trade-in allowance or proceeds of sale toward the purchase of the replacements.

(2) *Replacement typewriters, adding machines, and calculators*. The Commandant (FS) will effect normal replacement of typewriters, adding machines, and calculators on the basis of an annual report submitted by district commanders and commanding officers of Headquarters units, without charge to field allotments. Typewriters will not be purchased for replacement purposes unless it is determined that the estimated cost of necessary repairs or reconditioning of each typewriter will equal or exceed, at lowest available rates, the current percentage of replacement cost prescribed by the General Services Administration.

(3) *Requests for purchase by Commandant (FS)*. When funds are not available in field allotments for the purchase of office labor-saving devices (other than those included in the annual replacement program referred to in subparagraph (2) of this paragraph), district commanders and commanding officers of Headquarters units will submit requisition for the devices required to the Commandant (FS) on Form CG-2556 (Requisition/Invoice), justifying the need for the equipment. In the case of requests for replacement equipment, the letter shall also contain a detailed description of the item(s) to be replaced.

(4) *Purchase of typewriters, adding machines, and calculators*—(i) *Manually-operated typewriters*. The Commandant (FS) will submit requests for purchase of manually-operated typewriters on Form CG-2557 (Purchase Order) to the appropriate regional office of the General Services Administration, via the Director of Administrative Services, Treasury Department. The General Services Administration will furnish suitable typewriters from excess stocks, when available, priced in accordance with the current "Excess Typewriter Fair Value List" issued by the Administration. When the Administration does not furnish machines from its stock of excess typewriters, the purchase order(s) will be returned with a "Certificate of Unavailability," whereupon procurement will be made by the Commandant (FS) from the Federal Supply Schedule. The following notification shall be placed on each purchase order submitted to a contractor for typewriters covered by the Administration clearance: "This order is covered by General Services Administration Certificate of Unavailability No. TC-".

(ii) *Electrically-operated typewriters*. The Commandant (FS) will effect procurement of electrically-operated typewriters (except those for use in authorized printing plants) from Federal Supply Schedule contracts. Purchase orders (Form CG-2557) for electrically-operated typewriters (including varitypers, flexowriters, and justowriters) for use in an authorized printing plant will be submitted by the Commandant (FS) to the Director of Administrative Services, Treasury Department, for clearance by the Joint Committee on Printing.

(iii) *Adding machines and calculators*. The Commandant (FS) will effect the procurement of adding machines and calculators from the Federal Supply Schedule on Form CG-2557 (Purchase Order) based upon requests from district commanders and commanding officers of Headquarters units.

(5) *Purchase of other office labor-saving devices*. Procurement of office labor-saving devices shall be made from the Federal Supply Schedule by the Commandant (FS), district commanders, and commanding officers of Headquarters units when (i) the items required are unavailable from other Government sources of supply, and (ii) the items required are covered by the Federal Supply Schedule.

(b) *Exchange or sale of devices replaced*—(1) *General*. It shall be the policy of the Coast Guard to effect exchange ("trade-in") or sale of office labor-saving devices and apply the proceeds to the cost of replacement. District commanders and commanding officers of Headquarters units procuring office labor-saving devices in accordance with paragraph (a) (1) of this section will effect trade-in or sale of the replaced devices. When replacements are purchased by the Commandant (FS) for field units, the trade-in or sale will be accomplished in accordance with the following subparagraphs.

(2) *Typewriters purchased from G. S. A.* When replacement typewriters are furnished from excess stocks of the General Services Administration, the typewriters replaced will be disposed of by sale. The sales contracts in such cases will be executed by the district commander or commanding officer of the Headquarters unit having jurisdiction over the replaced typewriters, upon receipt of the replacements, unless earlier disposal is directed by the Commandant (FS).

(3) *Devices purchased from other sources*. Upon receipt of notification from the Commandant (FS) of procurement action taken to replace office labor-saving devices, district commanders and commanding officers of Headquarters units shall issue invitations for the sale of the replaced items. Bids received will be compared with the trade-in allowances offered by the contractors supplying the replacement devices to determine the maximum return to the Government and a report of the results forwarded to the Commandant (FS) for review. If the cash bids exceed the trade-in allowances, the execution of sales contracts will be authorized; otherwise, the devices will be traded in on the replacement items by change orders issued by the Commandant (FS), and the holding unit notified accordingly. Cash bids will not be accepted nor shall the devices be disposed of without prior authority of the Commandant (FS).

(i) *Surrender of exchanged items*. Payment for the new devices will be withheld until the trade-in machines have been picked up by the contractor. Accordingly, trade-in devices shall be released as rapidly as possible by notifying the contractor's local representative when they are available for pick-up. The Commandant (FS) shall be informed of the reason for non-delivery and the anticipated delivery date of any device traded in which has not been picked up by the contractor's representative within 30 days after receipt of the replacement machine.

(ii) *Joint inspection of exchanged items*. All devices traded in shall be inspected jointly by the contractor's representative and a responsible Coast Guard representative at the time of pick-up. This inspection should primarily verify the serial number and the condition of the devices. The contractor's representative shall be requested to certify the receipt as to the condition of the machines. A copy of the receipt, counter-

signed by the Coast Guard representative, shall be forwarded to the Commandant (FS).

5. Section 116.01-156 is amended to read as follows:

§ 116.01-156 *Purchase of new electric fans*—(a) *Authority*. District commanders and commanding officers of Headquarters units may procure new electric fans within authorized allowances from allotted funds.

(b) *Sources of supply*. New electric fans shall be obtained from (1) Federal Supply Schedule contractors or (2) General Services Administration stores stock when the types required can be furnished by those sources. New fans which cannot be obtained from Government sources of supply may be purchased in the open market by advertising or negotiation in accordance with established procedure.

6. Section 116.01-157 is amended to read as follows:

§ 116.01-157 *Purchase of new refrigerators*—(a) *Authority*. District commanders and commanding officers of Headquarters units may procure new refrigerators within authorized allowances from allotted funds.

(b) *Consolidated G. S. A. purchase program*. The General Services Administration will purchase all Coast Guard requirements of new refrigerators of the following types in the continental United States (including Alaska). "In the continental United States" shall be construed to include deliveries to shipping points in the United States for transshipment to destinations outside the continental limits.

(1) *Types of refrigerators*. All portable (i) commercial refrigerators, (ii) household refrigerators, and (iii) low temperature storage cabinets, with self-contained electric or gas units, in conformity with the specifications indicated in subparagraph (2) of this paragraph.

(2) *Specifications*. (i) The latest issue in effect of Federal Specification AA-R-211; or (ii) later Federal Specifications which might be issued for the above items; or (iii) specifications developed and/or approved for Coast Guard use by the Commandant.

(c) *Purchase procedure*—(1) *General Services Administration*. Purchase orders (Form CG-2557) shall be submitted to the General Services Administration, Federal Supply Service, 219 South Clark St., U. S. Custom House, Room 575, Chicago 4, Ill. Orders shall be complete as to the specification requirements referenced in paragraph (b) (2) of this section, time or times when deliveries are required, consignment and shipment instructions, and other pertinent information.

(2) *Other sources*. New refrigerators not included in the consolidated purchase program of the General Services Administration will be procured from other Government sources where practicable. Refrigerators not available from Government sources of supply may be purchased in the open market by advertising or negotiation in accordance with established procedure.

7. Section 116.01-158 is amended to read as follows:

§ 116.01-158 *Purchase of new water coolers*—(a) *Authority*. District commanders and commanding officers of Headquarters units may procure new electric water coolers within authorized allowances from allotted funds.

(b) *Consolidated G. S. A. purchase program*. The General Services Administration will procure all Coast Guard requirements of new electric water coolers of the following types in the continental United States (including Alaska) for shore use. "In the continental United States" shall be construed to include deliveries to shipping points in the United States for transshipment to destinations outside the continental limits. Standard models of coolers manufactured and sold with satisfactory results to the public generally, which meet the provisions of Interim Federal Specification 00-C-0056b, dated July 24, 1952, will be procured under the consolidated G. S. A. purchase program. Coolers requiring manufacture from particular materials specified by an ordering office will be furnished only when the need for such coolers is adequately justified. Justifications in such cases shall be approved by the Commandant (FS) prior to submission to the General Services Administration.

1. Bubbler style (type I, air-cooled condenser; type II, water-cooled condenser), sizes 5, 10, and 20;

2. Cafeteria style (type III, air-cooled condenser; type IV, water-cooled condenser), sizes 20 and 30;

3. Remote style (type V, water-cooled condenser), sizes 10 and 20;

4. Bottle style (type VI, air-cooled condenser), size 3.

(c) *Purchase procedure*—(1) *General Services Administration*. Purchase orders (Form CG-2557) shall be submitted to the General Services Administration regional office serving the ordering office. Orders shall be complete as to type, size, description, and current characteristics (AC or DC current, phase, voltage, and cycles), time or times when deliveries are required, consignment and shipping instructions, and other pertinent information.

(2) *Other sources*. New electric water coolers not included in the consolidated purchase program of the General Services Administration will be procured from other Government sources where practicable. Refrigerators not available from Government sources of supply may be purchased in the open market by advertising or negotiation in accordance with established procedure.

8. Section 116.01-160 is amended to read as follows:

§ 116.01-160 *Purchase of gasoline and lubricating oil by credit cards*—(a) *General*. District commanders and commanding officers of Headquarters units may authorize the purchase of gasoline and lubricating oil for service station delivery to Coast Guard motor vehicles. Such purchases may be accomplished through the use of credit cards in accordance with the General Provision for Service Station Deliveries,

Classes 7 and 14, Federal Supply Schedule, applicable to the General Services Administration region in which the district or Headquarters unit is located. Service station deliveries may be obtained on Form CG-2974 (Purchase-Invoice) when credit cards are not available.

(b) *Issue of credit cards.* District commanders and commanding officers of Headquarters units will procure and issue credit cards required by their respective commands. Requests for credit cards originated by district units shall be submitted to the District Commander (f).

(1) *Units where refueling facilities are unavailable.* These units are (i) those which have no refueling facilities for vehicles and lack ready access to other Coast Guard units which do have such facilities, and (ii) those with vehicles which operate away from the unit in areas where Coast Guard refueling facilities are not available.

(2) *Group commanders requiring cards for emergency use.* Group commanders who do not require credit cards for normal operations may hold reserve credit cards for disaster relief or other emergency operations requiring the use of vehicles away from the Group area.

(c) *Tax exemption certificates.* Tax exemption certificates (SF-1094) will be issued by the paying office when contractors' invoices are processed for payment.

(62 Stat. 21; 41 U. S. C. 151-161)

Dated: April 7, 1954.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 54-2769; Filed, Apr. 13, 1954;
8:51 a. m.]

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

NANSEMOND RIVER, WESTERN BRANCH, VA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.245 is hereby amended to provide for the closure of the drawspan of the Virginia Department of Highways bridge across the Western Branch of the Nansemond River at Reid's Ferry, Virginia, as follows:

§ 203.245 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.*

(f) *Waterways discharging into Chesapeake Bay.*

(17) Nansemond River, Western Branch, Va.; Virginia Department of Highways bridge at Reid's Ferry. The draw need not be opened for the passage of vessels, and paragraphs (b) to (e), inclusive, of this section shall not apply to this bridge.

[Regs., March 25, 1954, 823 (Nansemond River-Reid's Ferry, Va.)—ENGWO] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] WM E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-2768; Filed, Apr. 13, 1954;
8:51 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter A—Practice and Procedure
[Gen. Order 41, 2d. Rev., Amdt. 2]

PART 201—RULES OF PRACTICE AND PROCEDURE BEFORE THE FEDERAL MARITIME BOARD AND THE MARITIME ADMINISTRATION

PUBLIC COUNSEL

It is ordered, That effective on April 1, 1954, § 201.42 *Counsel for the Board* (General Order 41, 2d. Rev.) published in the FEDERAL REGISTER (18 F. R. 3716, 3718) is hereby superseded and deleted in its entirety and a new § 201.42 is substituted in lieu thereof to read as follows:

§ 201.42 *Public Counsel.* The Assistant General Counsel for Litigation shall be a party to all proceedings governed by the rules in this part, except that in complaint proceedings under § 201.62 he may become a party only upon leave to intervene granted pursuant to § 201.74. The Assistant General Counsel or his representative shall be designated as "Public Counsel" and shall be served with copies of all papers, pleadings, and documents in every proceeding governed by the rules in this part, whether a party of record or not. Public Counsel shall actively participate in any proceeding to which he is a party, to the extent required in the public interest, subject to the separation of functions required by section 5 (c) of the Administrative Procedure Act. (See § 201.225.)

(Sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114)

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

By order of the Maritime Administration.

Dated: April 1, 1954.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 54-2782; Filed, Apr. 13, 1954;
8:54 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10937]

PART 3—RADIO BROADCAST SERVICES TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.606
Table of assignments, rules governing

television broadcast stations; Docket No. 10937.

1. The Commission has under consideration its notice of proposed rule making issued on February 25, 1954 (FCC 54-261) and published in the FEDERAL REGISTER of March 3, 1954 (19 F. R. 1186) proposing to assign Channel 68 to Petaluma, California in lieu of Channel 56 in response to a petition filed by the Delta-Sierra Educational Television Corporation, Stockton, California.

2. The last day for filing comments expired on March 24, 1954. No comments opposing the change were filed. In support of its requested amendment petitioner urged that it is composed of representatives from the four counties of San Joaquin, Stanislaus, Calaveras, and Tuolumne, California; that it hopes to serve these counties by establishing an educational television station on Channel 42 assigned to Stockton, California and reserved for educational use; that a site at Mt. Diablo would assure the best possible coverage for the area; that the use of such a site is precluded by the assignment of Channel 56 at Petaluma, California; and that the substitution of Channel 68 for 56 at Petaluma would be technically feasible and would permit the use of Mt. Diablo as a site for the proposed station on Channel 42. The Commission finds that the amendment of the table as proposed meets the requirements of the rules and would be in the public interest.

3. Authority for the adoption of the amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing: *It is ordered*, That effective 30 days from publication in the FEDERAL REGISTER, the table of assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

City:	Channel No.
Petaluma, Calif.	68

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 50 Stat. 191; 47 U. S. C. 301, 303, 307)

Adopted: April 7, 1954.

Released: April 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2773; Filed, Apr. 13, 1954;
8:52 a. m.]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

OPERATING CONTROLS

In the matter of amendment of Part 8 of the Commission's rules extending effective date of § 8.104 (e) (2) (ii).

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of April 1954:

The Commission having under consideration an amendment to change from June 3, 1954, to a later date the applica-

tion of the requirements of § 8.104 (e) (2) (ii) concerning the rapidity of changing from one operating channel to another during transmission or reception by ship stations using telegraphy on certain frequencies;

It appearing that since the inauguration of the use of the new Atlantic City cargo ship working frequencies will not occur until after June 3, 1954, failure to postpone the requirements of § 8.104 (e) (2) (ii) will require the installation by ship owners of crystals which will have to be replaced when the use of the new frequencies is initiated at a relatively early date thereafter; and

It further appearing that it is desirable that the effective date of the requirements of § 8.104 (e) (2) (ii) be made to coincide with the date when it is expected that the Atlantic City frequency tolerances will be made applicable; and

It further appearing that the imminence of the present effective date of June 3, 1954, and the urgency of the situation make compliance with the public rule making procedure prescribed by section 4 (a) of the Administrative Procedure Act impracticable; and

It further appearing that in view of the urgent situation and because the amendment herein ordered relaxes existing requirements, it may be made effective immediately; and

It further appearing that the authority for this amendment is contained in sections 303 (e), (f) and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective immediately § 8.104 (e) (2) (ii) is amended by substituting the date January 1, 1955, for the date June 3, 1954, presently contained therein.

(Sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: April 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2772; Filed, Apr. 13, 1954;
8:51 a. m.]

[Docket No. 10501]

PART 12—AMATEUR RADIO SERVICE REQUIREMENTS FOR PORTABLE AND MOBILE OPERATION

In the matter of amendment of § 12.91 (b) of Part 12, Amateur Radio Service; Docket No. 10501.

The present proceedings were initiated as the result of a petition of the Maritime Mobile Amateur Radio Club of Pittsburgh, Pennsylvania, requesting an amendment of § 12.91 (b) of the Commission's rules, which authorizes marine mobile operation only in the 28.0 to 29.7 Mc frequency band, to include such operation in the 21 to 21.45 Mc frequency band. On May 15, 1953, the Commission issued a notice of proposed rule making setting forth the above-mentioned proposed amendment to § 12.91 (b) of its rules, and affording interested parties an opportunity to file comments in support thereof or in op-

position thereto, within a specified period. Within the time provided therefor numerous favorable comments were received by the Commission. The only objection to the proposed amendment was filed by the American Radio Relay League.

In its comment the League urged (1) that " * * the current international radio situation is such as to make such action highly inadvisable," (2) that the proposed amendment be dismissed, (3) that the Commission accept an alternate amendment to permit marine mobile radio operation aboard United States vessels on coastwise voyages on all of the frequencies allocated to the Amateur Radio Service, and (4) requested an oral argument in connection with the proposed rule making.

In compliance with the request of the American Radio Relay League an oral argument was held on February 8, 1954, before the Commission. The League and the Maritime Mobile Amateur Radio Club participated in the argument. At the conclusion of the argument, both parties were afforded the opportunity to file additional written comments within the next ten days. Comments were filed by both parties.

After review and careful consideration of all of the comments submitted in connection with this proposed rule making and of all of the available information pertinent thereto, the Commission has concluded (1) that the League's contention that "the current international radio situation is such as to make such action highly inadvisable," is unsupported by official testimony and records and does not constitute justifiable grounds upon which to dismiss the proposed amendment of § 12.91 (b) of the Commission's rules (2) that the adoption of the proposed amendment should not have any adverse effect upon the present or future status of the Amateur Radio Service, (3) that this proceeding has developed no reason to warrant a limitation of marine mobile operation, either in the 28 to 29.7 Mc frequency band or in the 21 to 21.45 Mc frequency band to United States coastwise operation, and (4) that the League's proposal to amend the rules to authorize the use of all amateur radio frequencies for marine mobile radio operation aboard United States vessels on coastwise voyages, extends beyond the scope of the proposed rule amendment in this matter, and is herewith denied.

In view of the foregoing statements, and under authority contained in sections 4 (i), 301 and 303 (c) and (r) of the Communications Act of 1934, as amended: It is ordered, That, effective May 21, 1954, § 12.91 (b) of the Commission's rules be amended to read as follows:

§ 12.91 Requirements for portable and mobile operation. * * *

(b) When outside the continental limits of the United States, its territories, or possessions, an amateur radio station may be operated as portable or mobile only under the following conditions:

(1) Operation may not be conducted within the jurisdiction of a foreign government except pursuant to, and in ac-

cordance with, expressed authority granted to the licensee by such foreign government.

(2) Operation may be conducted only in the amateur frequency bands 21.0 to 21.45 Mc and 28.0 to 29.7 Mc: *Provided*, That this limitation shall not be construed to prevent the use of other amateur frequency bands where operation is within the jurisdiction of a foreign government which permits United States amateurs to operate within such foreign territory. (See Appendix 4 of this part for the text of treaties or agreements between the United States and foreign governments relative to reciprocal amateur radio operation.)

(3) Whenever portable or mobile operation is, or is likely to be, away from the territorial limits of the United States for a period in excess of 48 hours, the licensee shall give prior written notice thereof to the Engineer in Charge of the radio inspection district having jurisdiction of the authorized fixed transmitter site of the station; *Provided*, That only one such notice shall be required during any one continued absence.

(Sec. 4, 48 Stat. 1086 as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 48 Stat. 1081, 1082, as amended; 47 U. S. C. 301, 303)

Adopted: April 7, 1954.

Released: April 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2771; Filed, Apr. 13, 1954;
8:51 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 1—GENERAL RULES OF PRACTICE

PETITIONS FOR SUSPENSION OF TARIFFS OR SCHEDULES; WHEN FILED

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 5th day of April A. D. 1954.

There being under consideration Rule 42 (b) of the general rules of practice (§ 1.42 (b)):

It is ordered, That effective May 9, 1954, the general rules of practice be amended as follows:

1. Substitute "12 days" in place of "10 days" appearing in paragraph (b) of § 1.42. As amended this paragraph will read:

§ 1.42 *Petitions for suspension of tariffs or schedules. * * **

(b) *When filed.* A protest against, and a prayer for suspension of, any tariff or schedule filed under the act ordinarily will not be considered unless made in writing, and filed with the Commission at least 12 days before the effective date of the tariff or schedule. In an emergency satisfactorily shown by protestant, and within the time limits herein provided, a telegraphic protest may be sent to the Commission and to the publishing carrier, freight forwarder, or agent, stating

the grounds relied upon, but such telegraphic protest must immediately be confirmed by protest filed and served in accordance with this section.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended, 49 Stat. 546, as amended, 548, as amended, sec. 201, 54 Stat. 933, sec. 1, 56 Stat. 285; 49 U. S. C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2767; Filed, Apr. 13, 1954;
8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 3]

CLASS B FM BROADCAST STATIONS

REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of April 1954;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations as follows:

General area	Channels	
	Delete	Add
Goldsboro, N. C.	227	245
Kinston, N. C.	245	260
Jacksonville, N. C.	260	271

It appearing, that the Eastern Carolina Broadcasting Company, Inc., license of Station WEQR, Goldsboro, North Carolina, proposes to change the frequency assignment of Station WEQR from Channel No. 227 to Channel No. 245 to eliminate the present condition of interference caused in the Goldsboro area to reception of Station WNCT (TV) operating on television Channel No. 9 in Greenville, North Carolina; and

It further appearing that the interference to the reception of television Station WNCT, Greenville, North Carolina, in the Goldsboro area is primarily internal to the television receivers; that the problem can and should be resolved by remedial measures at the source of the problem—improved designs of television receivers—rather than by manipulation of outstanding frequency assignments or

changes in the television and FM allocation plans; that the Commission has taken the position before and is still of the opinion that receiver manufacturers are under an obligation to the consumers purchasing their goods to employ the corrective measures in the manufacture of receiving sets necessary to insure against this and related interference problems and that it is improper to place further restrictions on the use of the very limited spectrum space because of the interference problems that can be entirely avoided by proper receiver design; and that in general, it will not be possible to correct this type of interference by modification of the FM allocation plan that the present limited use of FM broadcasting assignments makes possible in this case; and

It further appearing that the subject proposal to reallocate channels in the area is engineeringly feasible and will not affect the rights of other parties; and

It further appearing that authority for the adoption of the proposed amendment is contained in sections 4 (i), 361, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended; and

It further appearing that because the proposed change merely represents a re-

allocation of channels in the area without any appreciable effect on existing FM licensees or applicants, current or prospective, the notice and public procedure provisions of section 4 (a) of the Administrative Procedure Act is unnecessary and that the change should be made effective immediately so that the existing Greenville-Goldsboro conflict described above can be eliminated without delay;

It is ordered, That effective immediately, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows:

General area	Channels	
	Delete	Add
Goldsboro, N. C.	227	245
Kinston, N. C.	245	260
Jacksonville, N. C.	260	271

Released: April 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2774; Filed, Apr. 13, 1954;
8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[445.2]

ASPHALT SHEETS AND EBON PUTTY (ASPHALT MASTIC)

PROSPECTIVE TARIFF CLASSIFICATION

APRIL 8, 1954.

It appears that asphalt sheets composed of a mixture of asphalt and earthy or mineral substances are properly classifiable as earthy or mineral substances wholly or partly manufactured under paragraph 214, Tariff Act of 1930, as modified, and that Ebon putty or asphalt mastic, consisting of petrol pitch in combination with, and in chief value of certain animal and mineral waxes, is classifiable under the provision for manufactures in chief value of wax in paragraph 1536 of the act, as modified, at rates of duty higher than those heretofore assessed under a uniform practice.

Pursuant to § 16.10a (d), Customs Regulations (19 CFR 16.10a (d)), notice is hereby given that the existing uniform practice of classifying such merchandise under paragraph 1710 as asphaltum, bitumen, or limestone-rock asphalt is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of this merchandise which are submitted in writing to the Bureau of Customs, Washington 25, D. C. To assure consideration such communications must be received in the Bureau not later than

30 days from the publication of this notice. No hearings will be held.

[SEAL]

D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 54-2770; Filed, Apr. 13, 1954;
8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2753]

BONNEVILLE POWER ADMINISTRATION

MARKETING OF ELECTRIC POWER AND ENERGY

APRIL 7, 1954.

SECTION 1. Designation as marketing agency. The Bonneville Power Administration is designated as the agency to market available surplus electric power and energy generated at the sources specified in this section pursuant to the specific statutory authority as to each project:

(a) Bonneville Project, pursuant to the act of August 20, 1937 (50 Stat. 731), as amended;

(b) McNary Dam, pursuant to the act of March 2, 1945 (59 Stat. 10);

(c) Hungry Horse Dam, pursuant to the act of June 5, 1944 (58 Stat. 270);

(d) The following sources, pursuant to the acts of December 22, 1944 (58 Stat. 887):

Albeni Falls Dam.
Big Cliff Dam.
Chief Joseph Dam.
Detroit Dam.
Dexter Dam.
Lookout Point Dam.
The Dalles Dam.

(c) The following sources, pursuant to the Federal Reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto):

Grand Coulee Dam.
Chandler Power Plant, Kennewick Division, Yakima Project.

Sec. 2. Contracts. The Bonneville Power Administrator may, subject to the applicable statutes, enter into contracts for the sale or interchange of electric power and energy in the performance of the functions assigned by section 1 of this order. The Bonneville Power Administrator may, in writing, redelegate to officers and employees of the Administration the authority granted in this section, and he may authorize written delegations of such authority.

Sec. 3. Revocation. Orders Nos. 1994 (9 F. R. 11966) and 2115 as amended (10 F. R. 14211; 11 F. R. 8830; 17 F. R. 5197; 18 F. R. 2831) are revoked.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-2743; Filed, Apr. 13, 1954;
8:45 a. m.]

[Order No. 2754]

BUREAU OF RECLAMATION

DELEGATION OF AUTHORITY WITH RESPECT TO HUNGRY HORSE DAM PROJECT

APRIL 7, 1954.

The Bureau of Reclamation is designated as the agency, under the direction and supervision of the Secretary of the Interior, to carry out the functions and duties of the Secretary under the act of June 5, 1944 (58 Stat. 270), with respect to the design, construction, operation and maintenance of the Hungry Horse Dam Project in accordance with the terms of the above act. The Bureau, in the design of the power generating facilities to be installed at the Dam, shall cooperate and consult with the Bonneville Power Administration.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-2744; Filed, Apr. 13, 1954;
8:46 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

FAMILY EXPORT & SHIPPING CO.

NOTICE OF CANCELLATION OF FREIGHT FORWARDER CERTIFICATE OF REGISTRATION

On April 8, 1954, the Board entered the following order:

Whereas, Federal Maritime Board General Order 72, which became effective June 1, 1950, requires all freight forwarders as defined therein to register with the Board, and Whereas, Family Export & Shipping Co., registered with the Board and was issued Certificate of Registration No. 242 on June 29, 1950, and

Whereas, investigation shows that Family Export & Shipping Co. is no longer operating as a freight forwarder as defined by Rule

244.1 of General Order 72 at the address shown on its application form on file with the Board, that no change of address has been furnished by the registrant in accordance with the requirements of General Order 72, and that there is no evidence that the registrant is operating as a freight forwarder elsewhere; now, therefore, by virtue of authority vested in the Board,

It is ordered, That Certificate of Registration 242 be, and the same is hereby, cancelled, effective as of this date.

By the Board.

[SEAL]

GEO. A. VIEHMANN,
Assistant Secretary.

Notice is hereby given to all interested or affected persons that Family Export & Shipping Company is no longer authorized to operate as a registered freight forwarder pursuant to General Order 72.

Dated: April 9, 1954.

By order of the Federal Maritime Board.

[SEAL]

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 54-2780; Filed, Apr. 13, 1954;
8:53 a. m.]

ALCOA STEAMSHIP CO., INC., ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. section 814.

(1) Agreement No. 7966 between Alcoa Steamship Company, Inc., and Osaka Shosen Kaisha, Ltd., covers the transportation of cargo under through bills of lading from the Philippine Islands, Hong Kong and Japan to the Virgin Islands, with transshipment at New York, Baltimore, or Norfolk.

(2) Agreement No. 7974 between N. V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij (Holland America Line) and Alcoa Steamship Company, Inc., covers the transportation of general cargo under through bills of lading from Holland and Belgium to Puerto Rico, with transshipment at New York, Baltimore, or Norfolk. Agreement No. 7974 supersedes and cancels Agreement No. 7929.

(3) Agreement No. 7968, between Hamburg-Amerika Linie, Hamburg, Norddeutscher Lloyd, Bremen, and Ahrenkiel & Bene, Hamburg, provides for the establishment and maintenance of a joint cargo service under the trade name "Great Lakes Service" in the trade between Great Lakes ports of the United States and Canada on one hand and Continental ports of Europe within the Bordeaux-Hamburg range and U. S. ports on the other hand, and in the trades between any two of said ports which are in the Western Hemisphere (not including transportation within the purview of the coastwise laws of the United States).

(4) Agreement No. 7973 between Shinnihon Steamship Co., Ltd., and Alcoa Steamship Company, Inc., covers

the transportation of cargo under through bills of lading from Japan and the Philippine Islands to Puerto Rico with transshipment at New York, Baltimore, and Norfolk.

(5) Agreement No. 7973 between Shinnihon Steamship Co., Ltd., and Alcoa Steamship Company, Inc., covers the transportation of cargo under through bills of lading from Japan and the Philippine Islands to the Virgin Islands with transshipment at New York, Baltimore and Norfolk.

(6) Agreement No. 7927 (revised), between Alcoa Steamship Company, Inc., and Moore-McCormack Lines, Inc., covers transportation of general cargo under through bills of lading from Brazil, Argentina and Uruguay to Puerto Rico, with transshipment at New York, Baltimore or Norfolk.

(7) Agreement No. 8210-1, between the Member Lines of the Continental North Atlantic Westbound Freight Conference, modifies the basic agreement of that conference (No. 8210) to provide that new conference members will automatically become a party to, and members withdrawing from the conference will automatically cease to be a party to any agreement entered into between the members and any other carrier or other person subject to the Shipping Act, 1916, as amended.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: April 9, 1954.

By order of the Federal Maritime Board.

[SEAL]

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 54-2781; Filed, Apr. 13, 1954;
8:53 a. m.]

Office of the Secretary

FEDERAL MARITIME BOARD AND MARITIME ADMINISTRATION

ORGANIZATION AND FUNCTIONS

The organization and functions statement of the Federal Maritime Board and the Maritime Administration (Department Order No. 117 (Amended)) of September 3, 1953, (18 F. R. 5518), is hereby amended as follows:

1. Section 4 (c) is amended by redesignating the organizational component Office of Ship Construction as the Office of Ship Construction and Repair;

2. Section 5 (b) is amended by transferring the Division of Ship Repair and Maintenance, along with its functions, personnel, and records, from the Office of National Shipping Authority and Government Aid to the Office of Ship Construction and Repair. Accordingly,

Sections 5 (b) (11) and (13) are changed to read as follows:

(11) The Office of Ship Construction and Repair is responsible for the conduct of activities relating to ship design and construction; ship repair, reconversion, reconditioning, and betterment, and collecting, analyzing, and evaluating United States and foreign ship construction costs. The Office of Ship Construction and Repair has the following divisions: Division of Preliminary Design, Division of Estimates, Division of Technical Development, and Division of Ship Repair and Maintenance; and contains the Trial and Guarantee Survey Boards;

(13) The Office of National Shipping Authority and Government Aid is responsible for the conduct of activities relating to requirements for and allocation of oceangoing merchant shipping; charter and operation of Maritime Administration-owned or acquired merchant ships; maintenance of reserve fleets; recommendations for purchase, charter in, or requisition of merchant ships for government use; processing applications for subsidy or other government aid; and administering government aid contracts after their execution; and coordinating the work of other organizational components in connection therewith. The Office of National Shipping Authority and Government Aid has, under a Deputy Director for Ship Operations, the following divisions: Division of Operations and Division of Ship Custody; and, under a Deputy Director for Government Aid, the following divisions: Division of Operating Costs and Contracts, Division of Trade Routes, and Division of Charters and Traffic; and

Effective date: March 23, 1954.

[SEAL]

SINCLAIR WEEKS,
Secretary of Commerce.

[F. R. Doc. 54-2742; Filed, Apr. 13, 1954;
8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214, as amended, 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops, wage rates and the effective and expiration dates of the certificates are set forth below. In each case, the wage rates are established at rates not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or at wage rates stipulated in the certificate, whichever is higher.

Portland Goodwill Industries, Inc., 80-82 Union Street, Portland, Maine; at a rate of not less than 50 cents per hour for a training period of 40 hours and 60 cents per hour thereafter. Certificate is effective April 1, 1954, and expires March 31, 1955.

Boston Aid to the Blind, Inc., 295 Huntington Avenue, Boston 15, Massachusetts; at a rate of not less than 30 cents per hour for a training period of 80 hours and 45 cents thereafter on the Wallet-Lacing Project. Certificate is effective April 1, 1954 and expires March 31, 1955.

Opportunity Workshop of the Jewish Vocational Service of Essex County, 652 High Street, Newark 2, New Jersey; at a rate of not less than 25 cents per hour. Certificate is effective March 1, 1954, and expires February 28, 1955.

Syracuse Association of Workers for the Blind, Inc., 425 James Street, Syracuse, New York; at a rate of not less than 30 cents per hour. Certificate is effective March 1, 1954 and expires February 28, 1955.

Brooklyn Association for Improving the Condition of the Poor, 401 State Street, Brooklyn 17, New York; at a rate of not less than 50 cents per hour for a training period of 160 hours and 60 cents thereafter. Certificate is effective April 1, 1954, and expires on March 31, 1955.

Pittsburgh Branch, Pennsylvania Association for the Blind, 308 South Craig Street, Pittsburgh, Pennsylvania; at a rate of not less than 20 cents per hour for a training period of 200 hours and 50 cents per hour thereafter in the Broom, Mop, Brush and Shipping Departments, 40 cents per hour in the Sewing Department. Certificate is effective March 10, 1954, and expires on February 28, 1955.

Alabama Institute for Deaf and Blind, P. O. Box 268, Talladega, Alabama; at a rate of not less than 60 cents per hour. Certificate is effective April 1, 1954, and expires March 31, 1955.

Volunteers of America, 8-16 South St. Clair Street, Toledo 4, Ohio; at a rate of not less than 50 cents an hour for a training period of 40 hours and 70 cents thereafter. Certificate is effective March 1, 1954, and expires February 28, 1955.

Michigan Employment Institution for the Blind, 924 Houghton Street, Saginaw, Michigan; at a rate of not less than 15 cents per hour for a training period of 160 hours and 20 cents thereafter. Certificate is effective March 1, 1954, and expires February 28, 1955.

Volunteers of America, 1411 First Street, Detroit 26, Michigan; at a rate of not less than 20 cents per hour for a training period of 40 hours and 45 cents thereafter. Certificate is effective

March 1, 1954, and expires on February 28, 1955.

United Cerebral Palsy of Greater Minneapolis, Inc., 1001 East 24th Street, Minneapolis 4, Minnesota; at a rate of not less than 30 cents per hour. Certificate is effective March 3, 1954, and expires August 31, 1954.

Evansville Association for the Blind, 500 North Second Avenue, Evansville 10, Indiana; at a rate of not less than 45 cents per hour for a training period of 160 hours and 50 cents thereafter. Certificate is effective April 1, 1954, and expires March 31, 1955.

Milwaukee Goodwill Industries, 2102 West Pierce Street, Milwaukee 4, Wisconsin; at a rate of not less than 45 cents per hour. Certificate is effective March 1, 1954, and expires February 28, 1955.

The Lighthouse for the Blind, 2315-21 Locust Street, St. Louis 3, Missouri; at a rate of not less than 25 cents per hour for a training period of 200 hours and 32 cents thereafter. Certificate is effective February 12, 1954, and expires January 31, 1955.

Missouri Goodwill Industries, 4140 Forest Park Boulevard, St. Louis 8, Missouri; at a rate of not less than 50 cents per hour. Certificate is effective February 5, 1954, and expires January 31, 1955.

Dallas County Association for the Blind, 4306 Capitol Avenue, Dallas 4, Texas; at a rate of not less than 25 cents per hour for a training period of 160 hours and 50 cents thereafter. Certificate is effective March 1, 1954, and expires February 28, 1955.

Crippled Children's Society of Los Angeles County, 325 West Adams Boulevard, Los Angeles 7, California; at a rate of not less than 5 cents per hour for a training period of 160 hours and 15 cents thereafter. Certificate is effective April 1, 1954, and expires March 31, 1955.

United Cerebral Palsy Association of Los Angeles, 5201 Beverly Boulevard, Los Angeles 4, California; at a rate of not less than 25 cents per hour. Certificate is effective April 2, 1954, and expires March 31, 1955.

Virginia Commission for the Blind, 508 St. James Street, Richmond 19, Virginia; at a rate of not less than 50 cents per hour for a training period of 320 hours and 65 cents thereafter. Certificate is effective March 1, 1954, and expires February 28, 1955.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employ-

ment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the *FEDERAL REGISTER*.

Signed at Washington, D. C., this 5th day of April 1954.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[P. R. Doc. 54-2745; Filed, Apr. 13, 1954;
8:46 a. m.]

FEDERAL CIVIL DEFENSE ADMINISTRATION

SECRETARY OF AGRICULTURE OR HIS
DESIGNEE

AMENDING DELEGATION OF AUTHORITY OF
JULY 31, 1953

1. Pursuant to the authority vested in me by Public Law 875, 81st Congress, 2d Session, as amended, and section 5 of Executive Order 10427 dated January 16, 1953, the Delegation of Authority of July 31, 1953, to the Secretary of Agriculture, appearing in 18 F. R. 4609, August 5, 1953, is amended as follows:

(a) After "Public Law 115" at the end of the title, insert a comma and add "and for other purposes."

(b) At the end of paragraph 1, strike the period, insert a comma and add "and for the purpose of rendering assistance pursuant to the allocation of funds of October 7, 1953."

2. This amendment is effective April 1, 1954.

[SEAL] KATHERINE G. HOWARD,
Acting Administrator,
Federal Civil Defense Administration.

Consented to:

FRED. D. MORSE,
Acting Secretary of Agriculture.

[P. R. Doc. 54-2746; Filed, Apr. 13, 1954;
8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8837, 10846, 10847]

RADIO STATION WSOC, INC., ET AL.

MEMORANDUM OPINION AND ORDER
CONTINUING HEARING

In re applications of Radio Station WSOC, Incorporated, Charlotte, North Carolina, Docket No. 8837, File No. BPCT-304; Piedmont Electronics and Fixture Corporation, Charlotte, North Carolina, Docket No. 10846, File No. BPCT-1621; Carolinas' Television Corporation, Charlotte, North Carolina, Docket No. 10847, File No. BPCT-1817; for construction permits for new television stations.

1. On March 23, 1954, there was issued a Statement and Order to govern the

course of this proceeding pursuant to § 1.841 of the rules. On April 2, 1954, the Chief of the Broadcast Bureau filed an appeal from this order as it related to the points of reliance which were accepted from the several applicants. At the same time the Bureau filed a motion with the Examiner to request a stay of the proceedings which are now scheduled to commence on April 7, 1954. An informal conference was held on April 2, 1954, with counsel for all of the parties in attendance.

2. Radio Station WSOC, Incorporated, and Carolinas' Television Corporation consented to the continuance on the ground that they did not wish to incur a possible rehearing in the event that the Commission should sustain the appeal and order the drafting of new points of reliance. Piedmont Electronics and Fixture Corporation objected to the continuance, stating that hotel reservations had been made for witnesses during a particularly crowded season in Washington and the applicant had been to some trouble in making arrangements for the preparation of the hearing as it is presently scheduled. It also appears that any continuance of the hearing will seriously affect commitments of counsel for subsequent hearings.

3. The issue raised on appeal by the Broadcast Bureau is one of critical importance in the development of the new procedures. Essentially it seeks an answer from the commission as to which interpretation of the word "specificity" would best conserve time and promote expedition, the Examiner's or the Bureau's. Assuming that the hearing should proceed it is possible that a decision on this question would not require any retrial of the case. On the other hand, since the matter is one of primary importance a retrial could conceivably be necessary. It is true that the parties are all prepared to go forward and would, except for the Bureau's action, prefer to do so. However, in view of all the circumstances and considering the risks which would be entailed in going forward at this time, two of the applicants have been persuaded to urge acquiescence in the Bureau's request for a continuance. Reluctant as I am to continue a hearing pending the resolution of an interlocutory question, I am nonetheless convinced that the peculiar circumstances of this case warrant doing so.

4. Incidental to the commencement of the hearing is the submission of all exhibits relating to the direct cases of the three applicants. These exhibits, as provided in the Statement and Order of March 23, 1954, are to be brought to the office of the Hearing Examiner on April 5, 1954. Since the exhibits are ready for presentation, the continuance contained herein will not affect submission of these exhibits. However, no exhibits will be exchanged among counsel until a definite date is set for taking testimony.

5. Therefore, it is ordered, This 5th day of April 1954, that the hearing now

scheduled to commence on April 7, 1954, is continued indefinitely.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 54-2775; Filed, Apr. 13, 1954;
8:52 a. m.]

[Docket Nos. 10719, 10720, 10893]

WHITE RADIO CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of W. Erle White, trading as White Radio Company, Wichita Falls, Texas, Docket No. 10719, File No. BP-8615; Lawton Broadcasting Company, Lawton, Oklahoma, Docket No. 10720, File No. BP-8689; Progressive Broadcasting Company, Lawton, Oklahoma, Docket No. 10893 File No. BP-9122; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of April 1954:

The Commission having under consideration the above-entitled application of the Progressive Broadcasting Company for a construction permit for a new standard broadcast station to operate on 1050 kilocycles with a power of 250 watts, using a directional antenna, daytime only, at Lawton, Oklahoma; and

It appearing that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the operation would result in mutually prohibitive interference with the operations proposed by the above-entitled applications of the Lawton Broadcasting Company and the White Radio Company and otherwise not comply with the Standards of Good Engineering Practice; particularly with reference to providing the recommended minimum of interference-free service within the proposed station's normally protected daytime (0.5 mv/m) contour; and

It further appearing, that the Commission on October 14, 1953 designated the above-entitled applications of the Lawton Broadcasting Company and the White Radio Company for hearing in a consolidated proceeding which hearing is now scheduled to commence on May 4, 1954; and

It further appearing that in a section 309 (b) letter dated February 18, 1954 the Progressive Broadcasting Company was notified of the aforementioned matters and of its being entitled to be heard in the said consolidated proceeding because its application was timely filed; and

It further appearing that in a reply filed on March 17, 1954 the applicant stated that it would appear and present evidence at a hearing on its application; and

It further appearing that the Commission, after consideration of the foregoing, is of the opinion that a hearing is necessary;

It is ordered, That pursuant to section 309 (b) of the Communications Act

of 1934, as amended, the above-entitled application of the Progressive Broadcasting Company is designated for hearing in a consolidated proceeding with the applications of the Lawton Broadcasting Company (Docket No. 10720, File No. BP-8689) and the White Radio Company (Docket No. 10719, File No. BP-8615) in Washington, D. C., on May 4, 1954, at 10:00 a. m. upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations with particular reference to providing the recommended minimum of interference-free service within the proposed station's normally protected daytime (0.5 mv/m) contour.

3. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which, if any, of the above-named applicants would provide the most fair, efficient and equitable distribution of radio service.

4. To determine, on a comparative basis, whether the operation proposed in the above-entitled application of the Progressive Broadcasting Company, the Lawton Broadcasting Company or the White Radio Company would best serve the public interest, convenience or necessity in light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

It is further ordered, That issues 3 and 4 as set forth above are made issues in the hearing designated by the Commission in its Order of October 14, 1953 concerning the applications of Lawton Broadcasting Company (Docket No. 10720; File No. BP-8689) and the White Radio Company (Docket No. 10719; File No. BP-8615).

Released: April 9, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2776; Filed, Apr. 13, 1954;
8:53 a. m.]

[Docket Nos. 10991, 10992]

WOOF TELEVISION CORP. AND ALA-FLA-
GA TELEVISION, INC.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of WOOF Television
Corporation, Dothan, Alabama, Docket

No. 10991, File No. BPTC-1830; ALA-
FLA-GA Television, Inc., Dothan, Ala-
bama, Docket No. 10992, File No. BPTC-
1839; for construction permits for new
television stations.

At a session of the Federal Communi-
cations Commission held at its offices
in Washington, D. C., on the 7th day of
April 1954;

The Commission having under con-
sideration the above-entitled applica-
tions, each requesting a construction
permit for a new television broadcast
station to operate on Channel 9 in
Dothan, Alabama; and

It appearing that the above-entitled
applications are mutually exclusive in
that operation by more than one appli-
cant would result in mutually destruc-
tive interference; and

It further appearing that pursuant to
section 309 (b) of the Communications
Act of 1934, as amended, the above-
named applicants were advised by letters
of the fact that their applications were
mutually exclusive, of the necessity for
a hearing and of all objections to their
applications; and were given an oppor-
tunity to reply; and

It further appearing that upon due
consideration of the above-entitled ap-
plications, the amendments filed thereto,
and the replies to the above letters, the
Commission finds that under section 309
(b) of the Communications Act of 1934,
as amended, a hearing is mandatory;
and that WOOF Television Corporation
is legally, financially and technically
qualified to construct, own and operate
a television broadcast station; and that
ALA-FLA-GA Television, Inc. is legally
and financially qualified to construct,
own and operate a television broadcast
station and is technically so qualified
except as to issue "1" below, and is other-
wise qualified except as to issue "2"
below;

It is ordered, That pursuant to section
309 (b) of the Communications Act of
1934, as amended, the above-entitled ap-
plications are designated for hearing in
a consolidated proceeding to commence
at 10:00 a. m. on the 7th day of May
1954 in Washington, D. C. upon the fol-
lowing issues:

1. To determine whether the instal-
lation and operation of the station pro-
posed by ALA-FLA-GA Television, Inc.
in the above-entitled application would
constitute a hazard to air navigation.

2. To determine, in the light of the
main studio location proposed by ALA-
FLA-GA Television, Inc. whether a
waiver of § 3.613 (a) of the Commis-
sion's rules should be granted.

3. To determine on a comparative
basis which of the operations proposed
in the above-entitled applications would
better serve the public interest, con-
venience and necessity in the light of the
record made with respect to the sig-
nificant differences between the applica-
tions as to:

(a) The background and experience
of each of the above-named applicants
having a bearing on its ability to own
and operate the proposed television sta-
tion.

(b) The proposals of each of the
above-named applicants with respect to
the management and operation of the
proposed station.

(c) The programming service pro-
posed in each of the above-entitled ap-
plications.

It is further ordered, That the issues
in the above-entitled proceeding may be
enlarged by the Examiner, on his own
motion or on petition properly filed by
a party to the proceeding and upon suf-
ficient allegations of fact in support
thereof, by the addition of the following
issue: To determine whether the funds
available to the applicant will give rea-
sonable assurance that the proposals set
forth in the application will be effec-
tuated.

Released: April 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-2777; Filed, Apr. 13, 1954;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6558]

IOWA PUBLIC SERVICE CO.

NOTICE OF APPLICATION

APRIL 7, 1954.

Take notice that on April 5, 1954, an
application was filed with the Federal
Power Commission, pursuant to section
204 of the Federal Power Act, by Iowa
Public Service Company, a corporation
organized under the laws of the State of
Iowa and qualified to do business as a
foreign corporation in the States of
South Dakota and Nebraska, with its
principal business office at Sioux City,
Iowa, seeking an order authorizing the
issuance of \$7,500,000 aggregate prin-
cipal amount of First Mortgage Bonds, --
Percent Series due 1984. The New
Bonds will constitute an additional series
of First Mortgage Bonds to be issued
under the Company's Mortgage and
Deed of Trust. The New Bonds will be
issued under competitive bidding and
will be dated as of May 1, 1954, and will
be issued on or about May 17, 1954, and will
mature on May 1, 1984. The net pro-
ceeds from the sale of the New Bonds will
be used, together with cash derived
from operations, to provide the funds
required for the redemption of \$7,500,-
000 aggregate principal amount of the
Company's First Mortgage Bonds, 4 per-
cent Series due 1983, at 102.42 percent of
the principal amount thereof, plus ac-
crued interest to the date fixed for re-
demption; all as more fully appears in
the application on file with the
Commission.

Any person desiring to be heard or to
make any protest with reference to said
application should, on or before the 26th
day of April 1954, file with the Federal
Power Commission, Washington 25, D. C.,
a petition or protest in accordance with
the Commission's rules of practice and
procedure. The application is on file
with the Commission for public
inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-2747; Filed, Apr. 13, 1954;
8:46 a. m.]

[Docket No. G-2371]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application filed February 17 and supplemented February 19, 1954, pursuant to section 7 of the Natural Gas Act, for authorization to construct and operate certain facilities as described in said application, be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on March 11, 1954 (19 F. R. 1374).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on April 21, 1954 at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: April 7, 1954.

Issued: April 8, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 54-2748; Filed, Apr. 13, 1954;
8:46 a. m.]

[Docket No. G-2377]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application, filed February 25, 1954, as supplemented on March 15, 1954, pursuant to section 7 of the Natural Gas Act, for authorization to construct and operate certain facilities as described in said application as supplemented, be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed sub-

sequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on March 13, 1954 (19 F. R. 1425-1426).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on April 23, 1954, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: April 7, 1954.

Issued: April 8, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 54-2749; Filed, Apr. 13, 1954;
8:47 a. m.]

[Docket No. G-2379]

UNITED GAS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application, filed February 26, 1954, pursuant to section 7 of the Natural Gas Act, to abandon certain facilities as described in said application, be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on March 18, 1954 (19 F. R. 1494).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on April 20, 1954, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37

(f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: April 7, 1954.

Issued: April 8, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 54-2750; Filed, Apr. 13, 1954;
8:47 a. m.]

[Docket No. G-2404]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

ORDER SUSPENDING PROPOSED TARIFF AND
PROVIDING FOR HEARING

On March 8, 1954, Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska) tendered for filing its FPC Gas Tariff, Original Volume No. 1, proposing, among other things, an annual rate increase of \$694,000, or 31 percent, to its five wholesale customers, based on sales for the 12-month period ended November 30, 1953.

In support of its increased rates and charges, Kansas-Nebraska has utilized inter alia rate of return of 6½ percent and allocation methods which depart from the principles and procedures heretofore adopted by the Commission. Thus, the increased rates and charges provided in the proposed tariff have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. Several purchasers have requested suspension of the proposed increased rates and charges.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of Kansas-Nebraska's FPC Gas Tariff, Original Volume No. 1 and that said tariff be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision thereon.

The Commission orders:

(A) Pursuant to the authority contained in section 4 and 15 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, services, and classifications contained in Kansas-Nebraska's FPC Gas Tariff, Original Volume No. 1, and the service agreements thereunder.

(B) Pending such hearing and decision thereon, Kansas-Nebraska's FPC Gas Tariff, Original Volume No. 1, be and the same is hereby suspended and the use thereof deferred until September 8, 1954, and until such further time as it may be made effective in the manner prescribed by the Natural Gas Act, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the

Commission's rules of practice and procedure.

Adopted: April 7, 1954.

Issued: April 8, 1954.

By the Commission.

[SEAL]

LEON M. PUQUAY,
Secretary.

[F. R. Doc. 54-2751; Filed, Apr. 13, 1954;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

VALLEY ROYALTIES.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Valley Royalties, 626 Fourth Street, Alamosa, Colorado.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of April 1954.

I. The Commission's public official files disclose that Valley Royalties, a partnership, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,¹ stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1952 and 1953, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 27th day of April 1954, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW.,

Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before April 21, 1954. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to April 27, 1954.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-2752; Filed, Apr. 13, 1954;
8:47 a. m.]

WILBERT LEE HABERTHIER

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Wilbert Lee Habertier, Box 503, Limon, Colorado.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of April 1954.

I. The Commission's public official files disclose that Wilbert Lee Habertier, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,¹ stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1952 and 1953, as required by section 17 (a) of the

Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. It is ordered, That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 27th day of April 1954, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before April 21, 1954. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to April 27, 1954.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of

¹ Filed as part of the original document.

the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 54-2753; Filed, Apr. 13, 1954;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29109]

VARIOUS COMMODITIES BETWEEN POINTS IN TEXAS

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Lee Douglass, Agent, for carriers parties to schedule listed below.

Commodities involved: Various commodities.

Between: Points in Texas.

Grounds for relief: Rail competition, to meet intrastate rates, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Lee Douglass, Agent, I. C. C. No. 807, supp. 42.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[P. R. Doc. 54-2759; Filed, Apr. 13, 1954;
8:49 a. m.]

[4th Sec. Application 29110]

SODA ASH FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO GEORGETOWN, S. C.

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Soda ash, in bulk, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Georgetown, S. C.

Grounds for relief: Competition with rail carriers, circuitry, and additional route.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1400, supp. 19.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[P. R. Doc. 54-2760; Filed, Apr. 13, 1954;
8:49 a. m.]

[4th Sec. Application 29111]

MOTOR-RAIL RATES BETWEEN CERTAIN POINTS IN THE EAST

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and the Adley Express Company.

Commodities involved: Semi-trailers, loaded or empty, on flat cars.

Between: Boston, Mass., Hartford, Conn., New Haven, Conn., Providence, R. I., Springfield, Mass., and Worcester, Mass., on the one hand, Harlem River, N. Y., Elizabeth and Edgewater, N. J., on the other, also between New Haven and named New England points.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

agency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[P. R. Doc. 54-2761; Filed, Apr. 13, 1954;
8:49 a. m.]

[4th Sec. Application 29112]

MOTOR-RAIL RATES BETWEEN LOWELL, MASS., AND HARLEM RIVER, N. Y., NEW HAVEN, CONN., AND PROVIDENCE, R. I.

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and the Adley Express Company.

Commodities involved: Semi-trailers, loaded or empty, on flat cars.

Between: Lowell, Mass., on the one hand, and Harlem River, N. Y., New Haven, Conn., and Providence, R. I., on the other.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[P. R. Doc. 54-2762; Filed, Apr. 13, 1954;
8:50 a. m.]

[4th Sec. Application 29113]

MOTOR-RAIL RATES BETWEEN BOSTON, MASS., OR PROVIDENCE, R. I., AND NEW HAVEN, CONN., AND HARLEM RIVER, N. Y.

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Rapid Motor Lines, Inc.

Commodities involved: Semi-trailers, loaded or empty, on flat cars.

Between: Boston, Mass., or Providence, R. I., on the one hand, and New Haven, Conn., on the other, also between New Haven, Conn., on the one hand, and Harlem River, N. Y., on the other.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2763; Filed, Apr. 13, 1954;
8:50 a. m.]

[4th Sec. Application 29114]

HAY FROM NEW MEXICO AND TEXAS TO
POINTS IN THE SOUTH AND SOUTHWEST

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Hay and related articles, carloads.

From: Points in New Mexico and Texas.

To: Points in Arkansas, Louisiana and Texas and lower Mississippi River Crossings, Memphis, Tenn., and south thereof.

Grounds for relief: Rail competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3975, supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may

proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2764; Filed, Apr. 13, 1954;
8:50 a. m.]

[4th Sec. Application 29115]

DRY BATTERY SHELLS FROM MUNCIE, IND.,
TO ASHEBORO, N. C.

APPLICATION FOR RELIEF

APRIL 9, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Alternate Agent, for carriers parties to his tariff I. C. C. No. 4510, pursuant to fourth-section order No. 17220.

Commodities involved: Zinc or alloys, viz: dry battery shells, carloads.

From: Muncie, Ind.

To: Asheboro, N. C.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2765; Filed, Apr. 13, 1954;
8:50 a. m.]

[No. 31494]

KENTUCKY INTRASTATE RATES AND CHARGES
ON COAL

NOTICE OF INVESTIGATION AND HEARING

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 30th day of March A. D. 1954.

It appearing that a petition dated March 1, 1954, has been filed on behalf of the Artemus-Jellico Railroad Com-

pany and other common carriers by railroad operating to, from and between points in the State of Kentucky, in interstate and intrastate commerce, averring that in Ex Parte No. 175, Increased Freight Rates, 1951, 280 I. C. C. 179; 281 I. C. C. 557; 284 I. C. C. 589, and 289 I. C. C. 395, the Commission authorized carriers subject to the Interstate Commerce Act parties thereto to make certain increases in their freight rates, including rates on coal, for interstate application throughout the United States; and that increases under such authorizations have been made;

It further appearing that the petitioners allege that the Railroad Commission of Kentucky, by various orders, has refused to authorize or permit them to apply to the transportation of coal, moving intrastate by railroad in the State of Kentucky, increases in freight rates and charges corresponding to those approved for interstate application in the proceeding above cited;

It further appearing that the petitioners allege that such refusal causes and results in undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and in undue, unreasonable and unjust discrimination against interstate commerce in violation of section 13 of the Interstate Commerce Act;

And it further appearing that there have been brought in issue by the said petition rates and charges made or imposed by authority of the State of Kentucky;

It is ordered, That in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Kentucky, for the intrastate transportation of coal, made or imposed by authority of the State of Kentucky, cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission for interstate traffic in said Ex Parte No. 175, Increased Freight Rates, 1951, supra, any undue or unreasonable advantage, preference or prejudice, as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum or minimum, or maximum and minimum rates and charges shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Kentucky which are subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding; that a copy of

this order be served upon each of the said respondents; and that the State of Kentucky be notified by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Railroad Commission of the State of Kentucky, at Frankfort, Ky.

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., for public inspection, and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.;

And it is further ordered, That this proceeding be assigned for hearing at such time and place as the Commission may hereafter designate.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2766; Filed, Apr. 13, 1954;
8:50 a. m.]

[Notice No. 2]

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

APRIL 9, 1954.

Protests to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER (49 CFR 1.240). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the form of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

APPLICATIONS FOR OPERATING AUTHORITY

No. MC 1150 Sub 6, J. B. HEEREN, DOING BUSINESS AS HEEREN TRUCKING COMPANY, Lemmon, S. Dak. Applicant's attorney: R. A. Bielski, Northwest Security National Bank Building, Sioux Falls, S. Dak. For authority to operate as a common carrier, over irregular routes, transporting: Petroleum products, in bulk, in tank trucks, from Dickinson, N. Dak., and points within 10 miles thereof, to points in South Dakota on and north of U. S. Highway 14. Applicant is authorized to conduct operations in Wyoming, South Dakota, North Dakota, and Kansas.

No. MC 1801 Sub 15, FORD VAN LINES, INCORPORATED, 1630 "P" Street, Lincoln, Nebr. Applicant's attorney: James F. Miller, 500 Board of Trade, Tenth and Wyandotte, Kansas City 6, Mo. For authority to operate as a common carrier, over irregular routes, transporting: Household goods as defined by the Commission, between points in California, on the one hand, and, on the other, points in Texas, New Mexico, and Oklahoma. Applicant is authorized to conduct operations in all States in the United States, and the District of Columbia.

No. MC 3722 Sub 1, CHARLES BERMAN, DOING BUSINESS AS BERMAN'S EXPRESS, 1125 Magnolia Street, Camden 3, N. J. Applicant's attorney: Russell Wolfe, 1606 Lincoln Liberty Building, Philadelphia 7, Pa. For authority to operate as a common carrier, over irregular routes, transporting: General commodities, except those of unusual value, and except dangerous explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Philadelphia, Pa., and Camden, N. J., on the one hand, and, on the other, points in New Jersey within 25 miles of Camden. Applicant is authorized to conduct operations in Pennsylvania and New Jersey.

No. MC 9997 Sub 2, KEOMAH TRUCK LINES, INC., 546 Ninth Avenue, East, Oskaloosa, Iowa. Applicant's attorney: Arlo W. Palmer, Oskaloosa, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: Prepared animal feed and prepared poultry feed (not frozen), from Burlington, Wis., to points in Polk, Jasper, Poweshiek, Iowa, Johnson, Scott, Marion, Mahaska, Keokuk, Washington, Louisa, Muscatine, Lucas, Monroe, Wapello, Jefferson, Henry, Des Moines, Wayne, Appanoose, Davis, Van Buren, Lee, Cedar and Clinton Counties, Iowa. Applicant is authorized to conduct operations in Illinois and Iowa.

No. MC 15728 Sub 1, AUTO PRODUCTS TRANSPORT SALES & WAREHOUSE CO., INC., 16244 James Couzens Highway, Detroit 21, Mich. Applicant's attorney: J. Gerald Wetzel, Matheson, Dixon & Brady, Guardian Building, Detroit 26, Mich. For authority to operate as a contract carrier, over irregular routes, transporting: Paper and paper products, between Toledo, Ohio, on the one hand, and, on the other, points in Michigan on and north of Michigan Highway 25 between Huron City, Mich., and Bay City, Mich., Michigan Highway 20 between Bay City and Midland, Mich., and U. S. Highway 10 between Midland and Ludington, Mich., including points on the indicated portions of the highways specified. Applicant is authorized to conduct operations in Ohio and Michigan.

No. MC 52858 Sub 37, CONVOY COMPANY, A CORPORATION, 3900 NW. Yeon Avenue, Portland 10, Ore. Applicant's attorney: William F. White, 1100 Jackson Tower, Portland 5, Ore. For authority to operate as a common carrier, over irregular routes, transporting: Trailers designed to be pulled be-

hind passenger vehicles, in initial and secondary movements, by truckaway method, between points in California, Oregon, Washington, Idaho, Montana, Nevada, Wyoming, Utah, Colorado, Arizona, and New Mexico.

No. MC 59478 Sub 1 (amended), R. S. RUARK, DOING BUSINESS AS RUARK TRUCK LINE, P. O. Box 116, Morganfield, Ky. Applicant's attorney: Robert H. Kinger, McChesney & McChesney, 711 McClure Building, Frankfort, Ky. For authority to operate as a common carrier, over regular routes, transporting: General commodities, including commodities in bulk, but excepting those of unusual value, and excepting Class A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading, between Morganfield, Ky., and junction Kentucky Highway 56 and Kentucky-Illinois State line, over Kentucky Highway 56, serving all intermediate and off-route points in Kentucky on or within three miles of that portion of Kentucky Highway 56 extending between Morganfield, Ky., and the Kentucky-Illinois State line, and General commodities, excepting those of unusual value, and excepting Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving all intermediate and off-route points on or within three miles of that portion of Kentucky Highway 130 extending between Uniontown, Ky., and Morganfield, Ky., in connection with carrier's authorized regular route operations between Uniontown and Morganfield. Applicant is authorized to conduct operations in Indiana and Kentucky.

No. MC 76032 Sub 79, NAVAJO FREIGHT LINES, INC., 381 South Broadway, P. O. Box 5364, Denver 9, Colorado. Applicant's attorney: O. Russell Jones, 54½ East San Francisco Street, Southwest Corner Plaza, Santa Fe, New Mexico. For authority to operate as a common carrier, transporting: General commodities, including Class A and B explosives, but excepting commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the New Mexico State Penitentiary on New Mexico Highway 10, approximately two miles south of junction U. S. Highway 85 and New Mexico Highway 10, as an off-route point in connection with carrier's regular route operations between Denver, Colo., and Albuquerque, N. Mex. Applicant is authorized to transport general commodities, with various exceptions, in California, New Mexico, Arizona, Texas, Colorado, Illinois, Nebraska, Missouri, Iowa, and Kansas.

No. MC 88905 Sub 7, CARL R. VAN DYKE, DOING BUSINESS AS C. R. VAN DYKE, 89 Clinton Street, Montgomery, New York. Applicant's representative: A. E. Enoch, Brodhead Block, 556 Main Street, Bethlehem, Pennsylvania. For authority to operate as a common carrier, over irregular routes, transporting: Coal, from points in Lackawanna, Luzerne, Carbon, and Schuylkill Coun-

ties, Pa., to Brainard and New Lebanon, N. Y. Applicant is authorized to conduct operations in Pennsylvania, New York, and Connecticut.

No. MC 92983 Sub 90, amended, ELDON MILLER, INC., 1030 Riverside Drive, Iowa City, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from West Memphis and Conway, Ark., and points within 10 miles thereof, to points in Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee within 200 miles of West Memphis and Conway, Ark. Applicant is authorized to conduct operations in Illinois, Indiana, Nebraska, Iowa, Wisconsin, Missouri, and Minnesota.

No. MC 109976 Sub 3, COCHRAN & RUCKWIED CORPORATION, 618 Adams Street, Hoboken, New Jersey. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, New Jersey. For authority to operate as a common carrier, over irregular routes, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Newark, N. J., on the one hand, and, on the other, points in Essex, Hudson, and Union Counties, N. J. Applicant is authorized to conduct operations in New York and New Jersey.

No. MC 110798 Sub 3, JAMES C. BUSSINGER, DOING BUSINESS AS WILLISTON-SCOBEY TRANSFER, Plentywood, Mont. Applicant's attorney: J. E. Rucker, 113 First Avenue, Plentywood, Mont. For authority to operate as a common carrier, over regular routes, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Opheim, Mont., and Glasgow, Mont., over Montana Highway 22; between Plentywood, Mont., and Regway border station on United States-Canada International Boundary line, over Montana Highway 16; between Whitetail, Mont., and Big Beaver border station on United States-Canada International Boundary line, over Montana Highway 13; between Plentywood, Mont., and Westby, Mont., over Montana Highway 5; and between Opheim, Mont., and West Poplar, Mont., over Montana Highway 22, serving all intermediate points on the routes described above. Applicant is authorized to conduct operations in Montana and North Dakota.

No. MC 111507 Sub 2, T. L. BURNS, Strong, Ark. Applicant's attorney: Ed E. Ashbaugh, 902 Wallace Building, Little Rock, Ark. For authority to operate as a common carrier, over irregular routes, transporting: *Lumber*, from points in Union County, Ark., to points in Kansas, Illinois, Missouri, Mississippi, Tennessee, those in Louisiana south of U. S. High-

way 84, those in Oklahoma west of U. S. Highway 81, and those in Texas west of U. S. Highway 281. Applicant is authorized to conduct operations in Arkansas, Louisiana, Oklahoma, and Texas.

No. MC 111777 Sub 6, STEPHEN LAHOTSKI, 181 Phillips Street, Throop, Pennsylvania. Applicant's attorney: Theodore A. Miller, Davidson and Nikolic, Cafritz Building, Washington 6, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Plastic refrigerator doors and plastic refrigerator parts*, between Worcester, Mass., on the one hand, and, on the other, Columbus and Mansfield, Ohio, and Richmond, Ind.

No. MC 113382 Sub 4, HOWARD J. NELSON AND JAMES MELVIN NELSON, DOING BUSINESS AS NELSON BROTHERS, 1215 Sixth Corso, Nebraska City, Nebr. Applicant's attorneys: J. Max Harding, 901 South Thirteenth Street, Lincoln, Nebr., and Armstrong McKnight, Auburn, Nebr. For authority to operate as a contract carrier, over irregular routes, transporting: *Canned or preserved foodstuffs*, not cold-packed or frozen, from Lawrence, Kans., to Council Bluffs, Iowa, and points in Nebraska, Iowa, Missouri, Kansas, Colorado, Oklahoma, Minnesota, South Dakota, Montana, Wyoming, Illinois and Arkansas.

No. MC 114638, ALFRED DESAUTES, JR., AND ALFRED DESAUTES, SR., DOING BUSINESS AS ALFRED'S TRAILER TRANSPORT CO., 302 South Eighth Street, Colorado Springs, Colo. Applicant's attorney: Henry S. Sherman, 514 Equitable Building, Denver, Colo. For authority to operate as a common carrier, over irregular routes, transporting: *Coach trailers, house trailers, commercial trailers, laboratory trailers, cabin trailers, bungalow trailers, and special purpose trailers*, in both initial and secondary movements, by truckaway and towaway service, from points in Colorado to points in California and Nevada.

No. MC 114641, S. B. PLATT, III, DOING BUSINESS AS COLUMBUS WAREHOUSE & STORAGE CO., 1504 Main Street, Columbus, Miss. For authority to operate as a contract carrier, over irregular routes, transporting: *Commodities classified as (1) meats, meat products and meat byproducts, (2) dairy products, and (3) articles distributed by meat-packing houses*, as defined by the Commission, from Columbus, Miss., to points in Mississippi and Alabama within 100 miles of Columbus, Miss., and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, on return movement.

APPLICATIONS UNDER SECTIONS 5 AND 210A (B)

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of motor

carrier properties sought to be acquired in an application under section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

No. MC-F-5651. Authority sought for purchase by Crane and Truck Service, Incorporated, Fifty-first Street & A. V. R. R., Pittsburgh, Pa., of a portion of the operating rights of A. J. Metler, 117 Chicamauga Avenue, NE., Knoxville, Tenn., and for acquisition by M. C. Harrison, E. J. Harrison and W. T. Wells, Pittsburgh, Pa., and Harrison Construction Co., Pittsburgh, Pa., of control of the operating rights through the purchase. Applicants' attorney: Robert S. Young, Jr., 1003 Burwell Bldg., Knoxville, Tenn. Operating rights sought to be transferred: *Sulphur*, in bulk, in dump vehicles, as a common carrier, over irregular routes, from Knoxville to Lowland, Tenn. Vendee is authorized to operate in Ohio and Pennsylvania. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5671. Authority sought for purchase by Indianhead Truck Line, Inc., 1670 Roblyn Avenue, St. Paul, Minn., of a portion of the operating rights of Arnt Wedul, doing business as Wedul Truck Line, Thief River Falls, Minn., and for acquisition by Lester A. Wilsey, St. Paul, Minn., of control of the operating rights through the purchase. Applicants' attorney: Glenn W. Stephens, 121 West Doty Street, Madison, Wis. Operating rights sought to be transferred: *Petroleum products*, as a common carrier, over irregular routes, between Viking, Minn., and points within 20 miles of Viking, on the one hand, and, on the other, Fargo, West Fargo, and Grand Forks, N. Dak. Vendee is authorized to operate in Wisconsin, Minnesota, Illinois, Michigan, Iowa, South Dakota, and North Dakota. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-5676. Authority sought for purchase by C. C. White, Thomas L. White and Jack C. White, doing business as White's Transportation, Route 2, Box 36, Manteca, Calif., of the operating rights of L. W. Koerner, doing business as Trans-California Motor Lines, 760 Ferry St., Oakland, Calif. Applicants' attorney: J. Richard Townsend, 1700 Mills Tower, San Francisco, Calif. Operating rights sought to be transferred: *Canned goods*, as a common carrier, over irregular routes, from points in San Joaquin County, Calif., to Stockton, Calif.; *Grain, beans and fruits*, from points in San Joaquin and Sacramento Counties, Calif., to Stockton, Calif.; *Fertilizer*, from Stockton to points in San Joaquin and Sacramento Counties, Calif. Vendee is authorized to operate in California. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-2779; Filed, Apr. 13, 1954;
8:53 a. m.]

